

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

In re:
Judith Benson

Soc.Sec.No.: xxx-xx-1526
Mailing address: 331 Gorrell Street
Greensboro, NC 27406

Case No. 09-11210-8-SWH
Chapter 13

Debtor.

OPPOSITION TO MOTION TO DISMISS

NOW COMES the DEBTOR, by and through counsel undersigned, who hereby opposes the Motion to Dismiss, dated 5/10/10, filed by the Chapter 13 Trustee, in its entirety. In response to the specific issues raised in the Trustee's Motion, the Debtor offers the following:

Delinquency in Plan Payments

The Debtor admits being delinquent in payments due under the Chapter 13 plan, but she offers the following proposal to cure this delinquency:

1. Our office is looking into a modification of plan.

WHEREFORE, the Debtor prays that the Court deny the Trustee's Motion to Dismiss, based upon the response and proposal set forth above; and that it set this matter for hearing; and that it grant such other and further relief which it deems just, proper and equitable.

Dated: May 26, 2010.

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt, Attorney
N.C. State Bar No.: 10212
6616-203 Six Forks Road
Raleigh, NC 27615
Tel. No.: (919) 847-9750

CERTIFICATE OF SERVICE

I, Jennifer Thorne, of the Law Offices of John T. Orcutt, P.C., do hereby certify, under penalty of perjury, that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on May 26, 2010, I served copies of the foregoing Opposition to Motion to Dismiss, by automatic electronic noticing upon the following Trustee:

John F. Logan
Chapter 13 Trustee

by regular U.S. mail, upon the Debtor at the following address:

Judith Benson
331 Gorrell Street
Greensboro, NC 27406

/s Jennifer Thorne

Jennifer Thorne